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USACE strikes deals with Afghan land owners

KANDAHAR AIRFIELD, Afghanistan — It was handshakes, signatures and smiles May 6, as nine rightful Afghan land owners and the government of the United States, via the Afghanistan Engineer District-South Real Estate Division, entered into leases for land currently being used by U.S. forces in Afghanistan.

“We’ve done our jobs right when all parties leave satisfied that the leasing process worked in a fair and just manner,” said Keith Loos, chief of the district’s Real Estate Division.

The authority to acquire real estate in foreign countries in support of military contingency operations is delegated to the Assistant Secretary of the Army. Authority is further delegated to the U.S. Army Corps of Engineers of which the Afghanistan Engineer District-South is a part.

“Our mission is to acquire, manage, and dispose of real estate in support of U.S. forces through leases for private property; no-cost land use agreements with the host nation; permits with NATO forces; and licenses for constructing Afghan National Security Forces projects,” said Loos.

Sensitive operations sometimes make it impossible for real estate instruments to be in place before U.S. forces use privately-owned land. The troops sometimes displace private citizens from their land to quickly establish camps. As long as the United States has a continuing need for the base, the Real Estate Division enters into a lease retroactively and pays the rightful landowner.

For some landowners, the process of entering into a lease has taken as little as two months, for others, the process took more than one year. This is principally because the Real Estate Division goes to great lengths to make sure the U.S. government enters into leases with rightful owners instead of those who simply claim to be the landowners, but are not.

“We have to protect the U.S. government against fraud,” explained Russ Wallace, a Real Estate Division economist.

“A common challenge that arises with private lands and causes delays in establishing leases is verifying ownership when no legal documentation, such as a deed, exists,” added South District Realty Specialist Nick Norals.



Keith Loos, chief of the small and bustling Real Estate Division at the Afghanistan Engineer District-South (left) Nick Norals, a South District realty specialist, and U.S. Army judge advocate Maj. Allison Mcfeatters prepare leases for landowners to sign May 5. (USACE Photo by Jasmine Chopra-Delgadillo.)

Since its establishment in 2009, the South District has acquired more than 100, 000 acres of land for approximately 300 bases, checkpoints and sites in its area of responsibility which include Badghis, Daykundi, Farah, Ghor, Helmand, Herat, Kandahar, Nimroz, Uruzgan and Zabul provinces.

During armed conflict or contingency operations, U.S. forces are authorized to use foreign real estate for such things as camp sites and the construction of fortifications, according to Army Field Manual 27-10, The Law of Land Warfare.

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